

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 1:07CR311
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
CLYDE WOODS, JR.,)	<u>ORDER ACCEPTING PLEA</u>
)	<u>AGREEMENT, JUDGMENT AND</u>
)	<u>REFERRAL TO U. S. PROBATION</u>
Defendant)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Kenneth S. McHargh, regarding the change of plea hearing of , which was referred to the Magistrate Judge with the consent of the parties.

On July 18, 2007, the government filed a four-count superseding indictment, charging Defendant, Clyde Woods, Jr., with Distribution of Crack Cocaine in violation of Title 21 United States Code, Section 841(a)(1), (b)(1)(B); and Title 21 United States Code, Section 841(a)(1), (b)(1)(C). On August 7, 2007, Defendant Woods was arraigned and entered a plea of not guilty before Magistrate Judge David S. Perelman. On November 20, 2007, Magistrate Judge Kenneth S. McHargh received Defendant Woods' plea of guilty to count one and two of the superseding indictment and issued a Report and Recommendation ("R&R") concerning whether the plea

should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Woods is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Woods is adjudged guilty of Count 1 and 2 of the superseding indictment, in violation of Title 21 United States Code, Section 841(a)(1), (b)(1)(B). This matter is referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on February 20, 2008, at 11:00 a.m. in Courtroom 17-A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE